

1 STEVEN G. ZIEFF (SBN: 84222)  
Email: sgz@rezlaw.com  
2 CHAYA M. MANDELBAUM (SBN: 239084)  
Email: cmm@rezlaw.com  
3 WILLIAM P. MCELHINNY (SBN: 296259)  
Email: wpm@rezlaw.com  
4 RUDY, EXELROD, ZIEFF & LOWE, L.L.P.  
5 351 California Street, Suite 700  
San Francisco, CA 94104  
6 Telephone: (415) 434-9800  
7 Facsimile: (415) 434-0513

8 Attorneys for Plaintiffs,  
JULIAN FRASER, *et al.*

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 JULIAN FRASER, JOSEPH WUCHER,  
14 IRENE DAMSKY, KIM ZAIA, and CHRIS  
JACKSON as individuals and in their  
15 representative capacity,

16 Plaintiffs,

17 v.

18 NATIONWIDE MUTUAL INSURANCE  
19 COMPANY, a corporation,

20 Defendant.

Case No. 3:17-cv-03702-EMC

**JOINT STIPULATION AND [PROPOSED]  
ORDER FOR LEAVE TO FILE FIRST  
AMENDED COMPLAINT**

/ Complaint Filed: June 28, 2017

1 Plaintiffs JULIAN FRASER, JOSEPH WUCHER, IRENE DAMSKY, KIM ZAIA, and  
2 CHRIS JACKSON ("Plaintiffs") and Defendant NATIONWIDE MUTUAL INSURANCE  
3 COMPANY ("Defendant"), by and through their attorneys of record, hereby stipulate and agree  
4 that Plaintiffs shall have leave to file a First Amended Complaint in this lawsuit for purposes of  
5 alleging exhaustion of the administrative requirements pursuant to the Private Attorney General's  
6 Act ("PAGA") and adding an additional Defendant, Scottsdale Insurance Company, dba  
7 Nationwide E&S/Specialty. Defendant reserves its right to assert any and all affirmative  
8 defenses applicable to Plaintiffs' First Amended Complaint. A copy of the Proposed First  
9 Amended Complaint is attached hereto as Exhibit A.

10  
11 DATED: September 25, 2017

RUDY, EXELROD, ZIEFF & LOWE, LLP

12 By: /s/ Chaya M. Mandelbaum

13 CHAYA M. MANDELBAUM  
14 Attorneys for Plaintiffs

15 DATED: September 25, 2017

LITTLER MENDELSON

16 By: /s/ John S. Hong

17 JOHN S. HONG  
18 Attorneys for Defendant

19  
20 **ECF ATTESTATION**

21 Pursuant to Civil L.R. 5-1(i)(3), the filer attests that concurrence in the filing of this  
22 document has been obtained from each of the other signatories thereto.

23 Executed this 25<sup>th</sup> day of June, 2017, at San Francisco, California.

24 /s/ Chaya M. Mandelbaum

25 CHAYA M. MANDELBAUM

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**[PROPOSED] ORDER**

For good cause shown, Plaintiffs' request for leave to file the attached proposed First Amended Complaint is hereby GRANTED. Plaintiffs shall file the First

**IT IS SO ORDERED.**

Amended Complaint.

DATED: 9/26, 2017

